

FORM 1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

SOMMR-014US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/511,194

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/GB03/00869

3 MARCH 2003

12 APRIL 2002 #4

TITLE OF INVENTION  
IMPROVED POINTING DEVICE

APPLICANT(S) FOR DO/EO/US

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (*Signed*)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:  
STATEMENT UNDER 37 CFR 3.73(b)

21. ☐ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. . . . . \$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO . . . . . \$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS PTO USE ONLY

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	19 - 20 =	0	x \$18.00	\$	
Independent claims	1 - 3 =		x \$86.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	

**TOTAL OF ABOVE CALCULATIONS =**

\$

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

130.00

**TOTAL NATIONAL FEE =**

\$

130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

40.00

**TOTAL FEES ENCLOSED =**

\$

170.00

04/24/2005 SHAJARRD 00000123 10511174

01 FC:1618

130.00 OP

Amount to be  
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 19-4330. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

ATTN: BRUCE B. BRUNDA  
STETINA BRUNDA GARRED & BRUCKER  
75 Enterprise, Suite 250  
Aliso Viejo, CA 92656

SIGNATURE

Bruce B. Brunda

NAME

28,497

REGISTRATION NUMBER

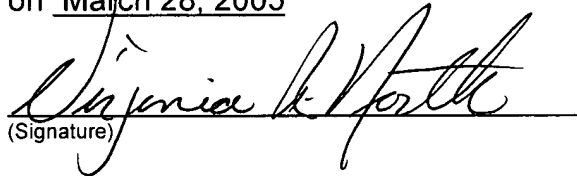
ATTORNEY DOCKET NO: SOMMR-014US  
TITLE: IMPROVED POINTING DEVICE

**Certificate of Mailing under 37 CFR 1.8 or 37 CFR 1.10**

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commisisoner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 28, 2005

  
(Signature)

Virginia R. North

(Typed name of person signing certificate)

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Transmittal Letter to the United States Designated/Elected Office (Second Submission);
2. Declaration for Utility or Design Patent Application (executed);
3. Power of Attorney;
4. Statement Under 37 CFR 3.73(b);
5. Recordation Form Cover Sheet (Patents Only);
6. Assignment of Application (3 sheets);
7. Check for \$170 for filing of Missing Parts and Assignment Recordation Fee;
8. Certificate of Mailing; and
9. Return Postcard.